

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ENRIQUE ZAMBRANO,

Petitioner,

v.

ROBERT K. WONG, Acting Warden of
California State Prison at San Quentin,

Respondent.

CASE NO. CV 09-4917 SBA

DEATH PENALTY

ORDER STAYING EXECUTION OF
DEATH SENTENCE AND
REFERRING THE MATTER TO
SELECTION BOARD FOR
APPOINTMENT OF COUNSEL

Upon request of petitioner, and pursuant to 28 U.S.C. § 2251(a) and Local Rules 2254-24 and 2254-25,

IT IS HEREBY ORDERED that the execution of petitioner's sentence of death and all court and other proceedings related to the execution of that sentence, including preparation for execution and setting an execution date, are stayed. The stay shall be in effect for ninety days from the date that counsel is appointed to represent petitioner in this case.

IT IS FURTHER ORDERED that this matter be referred to the Capital Case Committee for the United States District Court, Northern District of California, for suggestion of one or more counsel to be appointed to represent petitioner in these proceedings.

The Clerk of the Court shall serve a certified copy of this order on petitioner Enrique Zambrano; respondent Robert K. Wong, Acting Warden of San Quentin Prison; the Clerk of the Alameda County Superior Court; Martin S. Kaye, Deputy Attorney General; Martin Brown,

1 Assistant District Attorney of Alameda County; and Michael Millman, Executive Director of the
2 California Appellate Project, San Francisco.

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4 DATED: 10/19/09


5 SAUNDRA BROWN ARMSTRONG
6 United States District Judge
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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 ENRIQUE ZAMBRANO,

5 Plaintiff,

6 v.

7 ROBERT K. WONG et al,

8 Defendant.
_____ /

Case Number: CV09-04917 SBA

CERTIFICATE OF SERVICE

9
10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
Northern District of California.

11 That on October 21, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
in the Clerk's office.

14
15 Enrique Zambrano H-91800
16 San Quentin State Prison
San Quentin, CA 97974

17 MICHAEL G. MILLMAN
18 CALIFORNIA APPELLATE PROJECT
101 SECOND STREET, STE 600
19 SAN FRANCISCO CA 94105

20 MARTIN S. KAYE, ESQ.
OFFICE OF THE ATTORNEY GENERAL
21 455 GOLDEN GATE AVENUE, STE. 11000
SAN FRANCISCO, CA 94102

22 CLERK
23 ALAMEDA COUNTY SUPERIOR COURT
1225 FALLON STREET
24 OAKLAND, CA 94612

25 ROBERT K. WONG, WARDEN
SAN QUENTIN STATE PRISON
26 SAN QUENTIN CA 94974

27
28 MARTIN A BROWN, ESQ,
ASSISTANT DISTRICT ATTORNEY

1 OFFICE OF THE DISTRICT ATTORNEY
1225 FALLON STREET RM. 900
2 OAKLAND CA 94612

3 Dated: October 21, 2009

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk